



Attorney Docket No. 70058USPCT  
U.S. Serial No. 10/517,903

TJW

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I hereby certify that the following correspondence is being deposited with the United States Postal Service as "First Class Mail" with proper postage in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 30, 2007.

- 1) Response to Restriction/Election Requirement (2 pages)
- 2) Return Postcard

Melissa Hardy

Name

Melissa Hardy

Signature



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**IN RE APPLICATION OF:**

Michael G. Willits

SERIAL NO.: 10/517,903

FILED: December 10, 2004

TITLE: FLAVONOL EXPRESSING  
DOMESTICATED TOMATO AND  
METHOD OF PRODUCTION

**GROUP ART UNIT: 1638**

**EXAMINER: Robinson, Keith O Neal**

**ATTORNEY DOCKET NO: 70058USPCT**

**CONFIRMATION NO.: 4683**

**REPLY TO RESTRICTION/ELECTION REQUIREMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

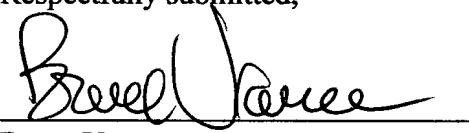
In response to the Restriction/Election Requirement dated April 6, 2007 requesting an election of one invention to prosecute in the above-referenced patent application, Applicants hereby elect to prosecute the invention of Group I, claims 1-10, drawn to a non-transgenic domesticated *L. esculentum* plant having a flavonol content in the flesh of the fruit of said plant that is greater than 0.5 µg/mgdwt. This election is made without traverse.

Applicants reserve their statutory right under §121 to prosecute the subject matter of the non-elected inventions in a timely-filed application.

Applicants believe there is no fee due with this response. However, the Commissioner is hereby authorized to charge any fees deemed necessary, or credit any overpayment, to Deposit Account No. 50-1744 in the name of Syngenta Biotechnology, Inc.

Syngenta Biotechnology, Inc.  
3054 Cornwallis Road  
Research Triangle Park, NC 27709-2257

Respectfully submitted,



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Date: April 30, 2007